

#10

PTO/SB/64a (06-03)

Approved for use through xx/xx/200x. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED
FOR FAILURE TO NOTIFY THE OFFICE OF A FOREIGN OR INTERNATIONAL
FILING (37 CFR 1.137(f))**

Docket Number (Optional)
4695-00024
(4191-00025)

First named inventor: Kurt M.A. Badeau

Application No.: 09/851,300

Art Unit: 1724

Filed: May 8, 2001

Examiner: Minh C. T. Pham

Title: Dual Section Exhaust Aftertreatment Filter and Method

Attention: Office of Petitions
Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
FAX: (703) 308-6916

FAX RECEIVED

AUG 07 2003

PETITIONS OFFICE

NOTE: If information or assistance is needed in completing this form, please contact Petitions
Information at (703) 305-9282.

The above-identified application became abandoned pursuant to 35 U.S.C. 122(b)(2)(B)(iii) for failure to timely notify the Office of the filing of an application in a foreign country or under a multinational international treaty that requires publication of applications eighteen months after filing. The date of abandonment is the day after the expiration date of the forty-five (45) day period set in 35 U.S.C. 122(b)(2)(B)(iii).

PURSUANT TO 37 CFR 1.137(f), APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION
UNDER 37 CFR 1.137(b)

1. Petition fee

☐ Small entity-fee \$ _____ (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.

☒ Other than small entity - fee \$ 1,300.00 (37 CFR 1.17(m))

2. Notice of Foreign or International Filing (35 U.S.C. 122(b)(2)(B)(iii) and 37 CFR 1.213(c))

Subsequent to the filing of the above-identified application, an application was filed in another country, or under a multinational international treaty (e.g., filed under the Patent Cooperation Treaty), that requires publication of applications eighteen months after filing. The filing date of the subsequently-filed foreign or international application is March 14, 2002.

[Page 1 of 2]

This collection of information is required by 37 CFR 1.137. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

10/03/2003 AKELLEY 00000012 012000 09851300

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STATEMENT: The entire delay in filing the required notice of a foreign or international filing from the due date for the required notice until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional.
[NOTE. The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D))].

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

August 7, 2003

Date

Michael E. Taken

Signature

Telephone (414) 271-7590
Number:Michael E. Taken (Reg. No. 28,120)

Typed or printed name

Andrus, Sceales, Starke & Sawall LLP
Ste. 1100, 100 East Wisconsin Avenue

Address

Milwaukee, WI 53202Enclosures: ☒ Fee Payment by Deposit Account☐ Additional sheets containing statements establishing unintentional delay☐ Other: _____

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence is being:

☐ deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.☒ transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (703) 308-6916.August 7, 2003

Date

Jo Ann Kuczynski

Signature


Jo Ann Kuczynski

Type or printed name of person signing certificate

Approved for use through 10/31/2002
Patent and Trademark Office: U.S. Department of Commerce

PTO/SB/17 (8/96)		COMPLETE IF KNOWN																																																																																																																																																																															
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1. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any over payments to: Deposit Account Number: 01.2000 Account Deposit Name: ANDRUS, SCEALES, STARKE & SAWALL, LLP <input checked="" type="checkbox"/> Charge any additional fee required under 37 CFR 1.16 and 1.17 <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27 <input type="checkbox"/> The Commissioner is hereby authorized to charge the issue fee and any additional fees required under 37 C.F.R. 1.18 to the above Deposit Account. A duplicate copy hereof is enclosed.		AUG 07 2003 FEE PAID																																																																																																																																																																															
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ANDRUS, SCEALES, STARKE & SAWALL, LLP
Intellectual Property Law**100 East Wisconsin Avenue, St. 1100**
Milwaukee, Wisconsin 53202
Telephone (414) 271-7590
Facsimile (414) 271-5770

FACSIMILE TRANSMISSION	
Date: August 7, 2003	No. of Pages: <u>5</u> (Including this cover page)
To: Office of Petitions Mail Stop Petition Commissioner for Patents Alexandria, VA Telecopier No. (703) 308-6916	From: Michael E. Taken (Reg. No. 28,120)
Appln. No. 09/851,300 Inventor: Kurt M.A. Badeau Our Ref.: 4695-00024 (Formerly 4191-00025) Filed: May 8, 2001 Title: Dual Section Exhaust Aftertreatment Filter and Method	
If transmission is incomplete or illegible, please telephone, fax or telex immediately.	
<p>Please see attached Petition for Revival of an Application for Patent Abandoned for Failure to Notify the Office of a Foreign or International Filing.</p> <p> To Ann Kuczynski for Michael E. Taken (Reg. No. 28,120)</p> <p>FAX RECEIVED AUG 07 2003 PETITIONS OFFICE</p>	
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